NEW YORK CITY.

THE COURTS.

UNITED STATES DISTRICT COURT-IN BANKRUPTCY. A Wife's Rights in a Bankruptcy Estate Defined. Before Judge Blatchford.

In the Matter of the Bankruptcy of Educard Rige-low, David Bigelow and Nathan Kellogg.—This case has been referred from the Register on a question of claim put forward by Mary B. Bigelow, wife of the bankrupt, Edward Bigelow, that she be admitted as a creditor in the estate. It appeared from mitted as a creditor in the estate. It appeared from the testimony in the case that Mrs. Bigelow had longed the firm \$700, to be used in their business. The firm having failed she was returned as one of the creditors. The other creditors objected, and the case was then referred to Judge Blatchford. His Honor held that Mrs. Bigelow, from all the testimony adduced, had loaned the money in good faith to the firm, and that she had a just claim against the estate, and to be considered as one of the general creditors thereof. Order accordingly.

SUPREME COURT-GENERAL TERM.

Transfer of Title by Gift-Important Ones.

Before Judges Clerke, Ingraham and Peckham. ton,-This was an appeal from a trial at the Circuit before Judge Balcom and a jury. The action was brought by the piaintiff as executor of Eliza Sexton sed, against the defendant, her husband, to re cover possession of afteen shares of stock of the Third Avenue Railroad Company and sixty shares of stock of the Chatham Bank, or the value thereof, which was assessed at \$4,575. The defendant set up in his answer that he was the owner of the stock in question; that previous to his wife's death, and in her list illness, she gave him this stock with other property contained in a tin box. Defendant took immediate possession of the box and its contents, and held it until his wife's death, and still retains it. The certificates of stock contained the usual clause requiring the transfer on the books of the respective companies. There was no power of attorney executed by the deceased and no transfer on the books of the respective companies, and Judge Raicom ruled that the title to the stock could not pass either as a gift inter vivos or dimetrio mortis causes by handing over of the stock without a writing. The question, therefore, to be argued before the General Term was a very liportant one, and one affecting the title by gift causes mortis to a very large amount of property, the law governing which having been heretofore regarded as unsettled.

On behalf of the appellant Judge Quinn and Mr. cover possession of afteen shares of stock of the

governing which having been neverous regarders as unsettied.
On behalf of the appellant Judge Quinn and Mr. O'Gorman contended that under the ruing of the Court of Appeals in the case of Westerlo vs. De Witt 188 N. Y. Reports, p. 350, and other cases cited, the court below erred in holding that the title to the stock could not be transferred by gift under the eigenmentances set forth in the pleadings; while, on the other hand, Mr. H. H. Anderson and Charles E. Miller urged, on behalf of the respondent, that the title to the stock did not pass by the oral gift of decased to her husband, and that the property should go to the executor, to be administered in the ordinary course. The Court reserved its decision. go to the executor, to be administered in nary course. The Court reserved its decision

SUPREME COURT-CHAMBERS.

The Seventh Regiment-Arrest of a Member for Non-payment of a Pine-He is Dis

In the Matter of S. L. H. Ward, Jr .- Mr. Ward, who is a member of the Seventh regiment, National Guard, was arrested by S. R. Pinckney, marshal of the regiment, for non-payment of a fine imposed by court martial. Mr. Ward claimed that he was fined court martial. Mr. Ward claimed that he was meet improperly, and refused payment upon that ground. Immediately upon his arrest he obtained a writ of habeas corpus from Judge Cardozo, ne alleging that the laws governing the National Guard of this State do not in any case authorize the marshal to execute a warrant for the collection of fines by taking the body of the delinquent; and that even if they do they are unconstitutional, because in conflict with the State constitution in that they deprive him of his liberty without trial by jury. Mr. Ward was discharged by the court. charged by the court.

> SUPREME COURT-SPECIAL TERM. The Christy Will Case. Before Judge Barnard.

Eliza A. Breck vs. C. K. Smith and Harriet E. Christy.—The hearing of this case was resumed yesterday morning. Evidence was read on behalf of the defendant and the plaintin re-examined relative to her connection with the several matters at issue. The Judge took the papers and reserved his deci-

SUPHEME COURT.

Notice to Applicants for Admission to the Bar. The examination of applicants for admission to the bar is postponed from the 21st till the 26th inst., at three o'clock.

JAMES W. GERARD, JR., CHARLES PRICE, JOHN D. TOWNSEND,

MARINE COURT-PART I.

Storage of Goods Case.

Before Judge Curtis. Charles S. Schenck vs. James Talbot.-This wa an action brought to recover storage of 318 boxes of merchandise. There was also a counter claim for damages to the goods so stored. It was claimed for the defendant that there were 323 boxes of goods stored with plaintiff and that he had only surrendered 318 boxes. Defendant, through counsel, at set up a counter claim for damages growing out of alleged injury of the goods in question by the nexti-gence of the plaintin or that of his employes, agents or servants. Trait was had on all the facts and lasues raised, and the Court charged the jury substantially as lollows:—First, that it was contended for the plaintiff that there was a special contract as to the price to be paid for storage, while it was contended for the defence that the contract was made quantum mertut and was not special in its character. It was for the jury to say what was the real character of the contract. The plaintiff, no matter what was the part of the plaintiff, no matter ended for the defence that the contract was made ter. It was for the jury to say what was the reat character of the contract. The planning, no matter what was the nature of the contract, whether special or not, was bound to perform his part of it in its entirety. If the jury was statisfied that the planning had converted any of these boxes of goods to his own use, and did not surrender up the same when demand therefor was made upon him and tender of the amount of storage due, he cannot recover, because he did not perform his contract in its entirety. That the question as to the number of boxes of goods that were left with plaintiff for storage was altogether one of fact for the jury to pass upon. That with reference to the counter ciaim, the burden of proof was on the defendant to establish affirmatively his right to recover under it; that it was contended on his behalf that one box of the goods was injured to the extent of fifty per cent; that mice had eaten through the box and had made their nests within it, not that the fact of the goods being damaged at the time they were delivered to defendant from plaintiff's warehouse was prima ficie evidence of healigence on the part of plaintiff, if they were satisfied affirmatively on the proof that the goods, at the time they came into the possession of the plaintiff, were in good order and sound condition. That the plaintiff was what the law terms badee for hire, and was bound to use all ordinary care, skill and pendence for the preservation of the property entrusted to him. Whether plaintiff had done so er not was a question of all the proof submitted in the case for the jury to pass upon. That part of the counterclaim for the conversion of the live boxes of goods and their value was abandoned by the defendant, and consequently did not make any part of the issue. The jury were unable to agree, and were discharged.

Action on an Administrator's Bond.

Before Indee Gross.

Before Judge Gross. Gideon Mead and Mathew S. Mead vs. John Livingston, Philip Siebold and Francis Hoffman,-This was an action brought to recover \$444 52, which the plaintins alleged to be due them from the estate of John Whelan, deceased. It appeared that John Livtogston, the principal defendant in the action, was appointed administrator of the estate of deceased, giving the usual bond. After some investi gation into the matter it was ascertained this bond was worthless, and proceed that this bond was worthless, and proceedings were therefore instituted to remove him from all charge or control of the estate. During the progress of these proceedings Livingston pronosed to counsel for the widow, Kira Werlan, to file a new bond, good and summer overy respect. The proposition was accepted and a new bond was given, the two other defendants, Stebold and Hoffman, being suremes thereto. The plaintiffs, in commencing an action for the recovery of the debt of \$444.32 due them by descased in ms liketime, against the administrator, include in the sait the two succless. Stebold and Hoffman, who were declared by the representatives of Livington.

retrator, include in the soft the two sureties, Siebold and Holman, who were declared by the representatives of Lavington.

Judge Gross in submitting the case to the jury, severely animaliverted on the conduct of lavingston in the affair, and the wrong inflicted by him on the unfortunate co-defendants. He said the jury were aware, from the evidence, of the manner is which the bond in question was given, and the signatures of Siebold and Hoffman obtained to it. The bond on its face lind everything which the law required. It was duly filed with the surrogate of the county of New York. The conditions of both bond were that the said Livingston should fainfully execute the trust reposed in him as administrator to the will annexed of all and singular the goods, conties, credits, &c., o John Whelan, deceased, and ouey all orders of the Surrogate touching the administration of the estate committed to him. From the evidence submitted it would appear that Lavingston at his final accounting had in his possession a large sum of money—sufficient to pay the plainting eminis, which claims, by the final decree of the Surrogate, he was required to pay. The transcript of that decree was flied in the proper ofned and an execution was then duly issued to the sheriff. That execution together with the return of the sheriff en-

dorsed thereon "unsatisfied" was read to you. Thereupon the Surrogate makes his order that the plaintiffs on this auit prosecute the bond which Livingston gave and which was signed by the other defendants. From the whole history of the case, gentlemen, your sympathies, no doubt, are with the two unfortunate defendants that have been innocently brought into this suit. However that may be, you must not allow your feelings or sympathy to induce your verdict in the slightest degree; if you are satisfied that the two defendants signed the bond in question. You are sworn to discharge your duty honestly and faithfully, and that oath you must obey no matter on whom the hardships may fail. The jury, after a short deliberation, returned a verdict for the plaintiffs in the full amount.

COURT OF GENERAL SESSIONS.

Before Judge Bedford. The calendar of cases in this court was very large but the busidess was rapidly disposed of by the City Judge and Messra. Hutchings and Tweed.

BURGLARY.

John Wilson pleaded guilty to an attempt at burglary m the third degree, the indictment charging him with endeavoring to enect a burglarious eatrance into the premises of Theodore Miller, No. 22 avenue A, on the 2d inst. Judge Bedford said, in passing sentence, that Wilson must be a professi burglar, for a "jimmy" was found on his person and he had the audacity to say to the officer that if he he had the audacity to say to the officer that it are had had a pistol he would have shot him. The high-est penalty was indicted, which was imprisonment in the State Prison for two years and six months. hary Smith, who was charged with stealing a pocketbook, containing seventy dollars, from Charles Young on the 10th list, was convicted of petty larceny, and sent to the Penitentiary for four months.

months.

Leonard Dupont and Patrick Carpenter pleaded guilty to an attempt at burglary in the third degree. They were caught in the act of entering the ciolning store of George G. Gregory, 683 Eighth avenue, on the night of the 6th inst. The prisoners have served a term already in the State Prison, and were sent back to the same institution for two years and six months.

a term already in the State Prison, and were send back to the same institution for two years and six months.

***PALSE PRETENCE MAN SENT TO SING SING.**
Antonio Carroli pleaded gullly to an indictment charging him with negotiating, on the 12th of March, for the purchase of a lager beer saleon from Simon Frank, 77 Mercer street, and paying for it by a "false token" - viz., a fraudulent check for \$325 on the Fulton National Bank. Judge fledford, in passing sentence, said there were seven complaints against the prisoner for similar offences, showing conclusively that he made the passing of these bogus checks a business. He was sentenced to the State Prison for two years and six months, fils Honor deducting six months from the punishment on account of his naving pleaded gullty.

Peter Coughlin, who was charged with stealing forty-five dollars' worth of clothing from Charles II. Brater, pleaded guilty to petty larceny and was sent to the Penitentiary for six months.

CARRYING A SLUNGSHOT.

Thomas Eagan pleaded guilty to carrying a slungshot. Officer Toker arrested him on the 9th inst. for acting disorderly, and he drew from his pocket a slungshot, with which he attempted to strike him. He was remanded to r sentence.

A NOTED HOTEL THEEF SENT TO SING SING.

Alfred Carter, alths Alfred Scott Wells, alias Alfred Sing, pleaded guilty to grand larceny. The complainant, Mr. Robert E. Grant, who was a guest at Earle's Hotel, stated that on the night of the lefth inst. he occupied the same room with the prisoner, and that about four o'clock in the morning he caught Carter in the act of handling his bag and its contents. The City Judge was well posted in respect to the antecedents of the prisoner. His Honor said that Carter was one of the most notorfous held thieves in New York. He had been arrested eight or ten times, and always escaped through legal technicalities. His business was that of going round to hotels and robbing strangers at night. The seatence of the Court was that Carter, who is an old man, be imprisoned i

Court was that Caree, who is an old min, be imprisoned in the State Prison for four years and six months.

ATTEMPT TO BOB A SAILOR BY BROTHER TAILS. Charles Brown and William Duniap were placed on trial charged with robusty in the first degree. The complainant, George Lawrence (a sailor) testified that as he was going down Monroe street on the hight of the 4th mst. he was attacked by the prisoners (who are also seamen), when one of them put his hand in his pocket und stole \$1.50 in currency. As there was some doubt as to his losing the money, the jury convicted the prisoners of an assault with intent to rob. Judge Bedford in passing sentence said:—"I have no doubt in my mind about the jury rendering the proper verdict, and the evidence might have justified them in convicting you frobbery in the first degree, the only difficulty being that there was a doubt as to whether you actually took the money. I am sorry the evidence shows that, from outward appearance, two good-looking men went up to a citizen at half-past twelve o'clock at night and played the highwas man. You asked Lawrence for money, and when he said he had not any you knocked him down and held nim. His statement was corroborated by the officer, who heard him say, 'Don't killy me; don't rob me.' " They were each sent to the Sizte Prison for four years and six months.

THERE DISTRICT CIVIL COURT. Gold vs. Paper.

Before Judge Smith.

Henry A. Mitchell vs. Julius Malter and Julius Hazen.—This was an action brought by the plaintiff, who is a purser on board one of the Pacific Mail Steamship Company's ships, against the defendants, who are gold and buillon brokers, doing business at No. 1 Wall street, to recover fifty dollars. The de bene esse testimony of the plaintiff was read in evidence, No. 1 Wall street, to recover firty dollars. The de cente case testimony of the plaintiff was read in evidence, from which it appeared that on or about the 15th of February, 1898, he soul to the defendants about \$255 in gold, for which he roceived its value in currency, consisting of four bills of the denomination or fifty dollars each and the rest in smaller ones. Three of the fifty dollar notes were national bank notes, and the fourth a greenback. On the same day he paid these identical four bills to Cantain 14. Campbell as part of his salary, when one of them was found to be counterfelt. F. A. Bressier, a cierk in the employ of the defendants, was sworn on behalf of the plaintiff, and testified that the bill in question (and which was now produced) was a counterfelt. Defendants' counsel moved for a dismissal, on the ground that too long a time had elapsed since the alleged giving of the bill (tiree days), and on the further ground that the plaintiff had failed to make out a proper case. The Court defined the motion, and the wilness, Bressier, further testified on behalf of the defendants that, on the plaintiff presenting to him the gold coin in question, he sent to the Bank of the Republic and got a lot of large bills, out of which he paid the plaintiff three hundered and odd dollars for the gold in question, and that on the Thursday following the plaintiff returned with the fifty dollars damages and twelve dollars costs.

COURT CALENDARS-THIS DAY.

SUPREME COURT—GENERAL TERM.—Enumerated Motions.—Nos. 46, 85, 92, 100, 101, 102, 103, 104, 106, 103, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121.
CIRCUIT—Part 1.—Oyer and Terminer.—Adjourned sine 61e.

GROUT—Fart 1.—Oyer and Terminer.—Adjourned sine die.

Special Term.—Demuirers.—Nos. 24, 25, 36. Issus of law and lact—Nos. 179, 329, 276, 159, 279, 321, 334, 342, 347, 363, 93.

GRAMBERS.—Nos. 34, 38, 40, 48, 59, 80, 81, 89, 97, 98, 100, 102, 106, 102, 100. Call 117.

SUPERMOR COURT—TERM. TERM.—Fart 1.—Nos. 851, 723, 747, 513, 823, 273, 689, 863, 855, 887, 859, 38034, 409, 847, 405. Fart 2.—Nos. 120, 896, 29, 712, 990. Short Causes.—Nos. 1,473, 1,510, 1,493, 1,144, 171, 1,444, 1,852, 1,695, 1,430, 1,304, 1,745, 1,674, 1,723, 1,540.

E ABINE COURT—TRIAL TERM.—Nos. 2,170, 2,176, 2,246, 2,279, 2,302, 2,355, 2,392, 2,482, 2,419, 2,420, 2,457, 2,474, 2,475, 2,477, 2,504, 2,005, 2,606, 2,007, 2,508, 2,609, 2,518, 2,514, 2,514, 2,514, 2,515,

2.518. 2.518, 2.512, 2.513, 2.514, 2.515, 2.516, 2.517, 2.518. GOURT OF GENERAL SESSIONS.—Before Gunning S. Beuford, Jr., City Judge.—The People vs. George Windheld Chandler, bigamy; Same vs. Louis Bacclo, rape; Same vs. Eli Burnett, forgery; Same vs. Francis Bradley, attempt at burglary; Same vs. James McConneil and John Hoach allas "Johnny the Greek," grand larceny from the person; Same vs. Henry Just, grand larceny; Same vs. Patrick Blev, grandlarceny; Same vs. John Anthon, bigamy.

CITY INTELLIGENCE.

THE WEATHER.-The following record will show the changes in the temperature for the past twenty-four hours, in comparison with the corresponding

four hours, in comparison with the corresponding day of the last year, as indicated by the thermometer at indiants' Financy, Heraldo Building, Broadway, corner of Ann street:—

1868. 1869.

3 A. M. 40 58 3 P. M. 54 77 64 A. M. 44 58 6 P. M. 52 75 9 A. M. 47 67 9 P. M. 40 68 12 M. 47 67 9 P. M. 40 68 12 M. 55 72 12 P. M. 47 67 4 Average temperature yesterday. 67 5 Average temperature corresponding day last y'r. 41 FOUND DEAD.—Jacob Zelm, a German, was found dead in bed at his residence. No. 108 Forseth street.

dead in bed at his residence, No. 108 Porsyth street. Coroner Flynn was notified to hold an inquest.

STABBED ON HIS CAR .- At half-past twelve yesterday morning John Hammon, conductor on the ave-nue B line, was cut on the face with a knife in the hands of an unknown man, who left the car corner of Thirty-sixth street and First avenue and made

THE CONJUNCTION OF MARS .- On this (Tuesday) moon will be two degrees south of the planet Mars. On May 18, near the same period, the first quarter of the moon, Mars will be extremely near our satellite and but about one-fifteenth of the moon's diameter from it. evenue, at fourteen minutes after eight o'clock, the

DEATR OF AN OPIUM EATER. - Annie Rogers, taken to Believue Hospital on Saturday by officer Wall, of the Eighth precinct, from 107 Bleecker street, as heretofore published in the Heralin, has since died. At the time of being admitted to the hospital Annie

was suffering from the effects of opiom, quantities of which she had been in the habit of eating for the last eight years. She was twenty-four years of age and a native of this State. Coroner Flynn was noticed to hold an inquest.

marks very uncomplimentary to the present management; after which the party adjourned to a saloon on the corner to drink success to the strike and wash some of the avenue dust out of their throats.

ANNIVERSARY OF JEFFERSON'S BIRTHDAY .- Yesterday was the anniversary of Thomas Jefferson and was celebrated in this city by a parade of the Figh regiment (old Jefferson Guard), Cobnel Meyer. The regiment turned out in full force, and were reviewed by the Mayor and Common Council in front of the City Hall. His Honor passed through the ranks accompanied by the Colonel, and after the honors of a pussing salute the regiment proceeded to Tompkins square, where they were dismissed. There was a grand banquet at the armory of the regiment in the evening. Fifth regiment (old Jefferson Guard), Colonel Meyer.

ATTEMPTED SUICIDE.—A woman named Sabina Frockway, about twenty-eight years of age, who re sides at 38 Cak street, attempted to commit suicide sides at 38 Oak street, attempted to commit sucular yesterday by jumping into the river from pier 39 East river. She was rescued by several citizens who happened to be passing at the time. After being conveyed to the Fourth precinct station house, as the police say "very sick" after the cold bath she saw it to take of her own free will, she was sent to Bellevue flospital, where she was declared insane. It is alteged that intemperance and domestic infelicity combined are the causes which prompted the unfortunate woman to take her own life.

New York Discreasely. The seventy-pinih an-

NEW YORK DISPENSARY.—The seventy-ninth an-nual report of the New York Dispensary has been During the past year-viz., from January 1, 1868, to January 1, 1869-20,461 patients have been 1, 1868, to January 1, 1869—20,461 patients have been attended by the physicians of the institution and furnished with the requisite medicines. Of these there were attended at the dispensive 20,680; attended at their homes, 5,822; enpping and dentistry patients, 2,101, and vaccinated, 1,558—making a total, as above, of 20,416. To all those the requisite medicines have in all cases been gramitously supplied—the number of prescriptions during the year amounting to 74,003. The benefits which have thus been dispensed have been effected at a cost of only \$8,284 72 for medicines, insurance, fuel, printing and splarles. The receipts were only \$5,761 59, increased by amount taken from donations for the building to \$5,856 50; leaving a balance of only \$51 87 on hand.

POLICE INTELLIGENCE.

LARCENY OF GOLD RINGS,-Christian Fray, a bar ber, was yesterday committed to the City Prison by Judge Hogan to answer a charge of stealing two gold rings, one set with diamonds, of the value of fifty dollars, the property of Caroline Dias, No. 108 Bowery. He acknowledged the theft, but said he did not intend to keep the rings.

CHARGE OF BURGLARY.-Hugh McSloan was yes erday before Justice Hogan, at the Tombs, charged with breaking into the liquor store of James Mc Creegan, No. 42 West street, and stealing two bottles of bourbon. He was found by a policeman with the liquor in his possession. He was fully committed to answer a charge of burglary.

Alleged Assault With A Knipe.—Thomas Keat-

ing and John Cardy were yesterday brought before Justice Hogan, at the Tombs Police Court, on a charge of assaulting Joshua Clark. The complainant, who lives in Brooklyn, says that he met the ac-cused in the street, when they commenced calling him opprobrious names, and that afterwards Keating stabbed him in the neck with a knife and that Cardy struck him and had a knife in his hand, which he no doubt intended using. The prisoners were com-mitted in \$1,000 each to answer the charge.

THE LATE BURGLARIES IN NEW JERSEY AND PENNSYLVANIA.-James Spaulding, alias Griffin, James Henry and Charles Crane, the parties arrested on suspicion of having committed several late burgiaries on the line of the New Jersey Central and Lehigh Valley railroads, was yesterday confronted with several parties who, having read the account of their arrest—published exclusively in the Sunday Herald—paid them a visit in the hope of being able to identify them. Neither were, however, recognized by any of the visitors, though it was stated that other persons would be brought here who undoubtedly would know them. Judge Dowling promised to hold them a day or two longer and give further opportunity for their identification. Meanting their counsel gave notice that he should apply for a writ of habeas corpus to effect their release. James Henry and Charles Crane, the parties arrested

POLICE TRIALS.

Judge Bosworth yesterday heard evidence in the ollowing complaints against officers of the police

Jeremiah Hayes, First precinct, absence from reserve duty, one day's fine; John McKenzie, Fortyeighth, off post, three days' pay; Thomas Irving, Forty-third, failing to take a prisoner to court, two days' pay; William Fackner, Twelfth, failing to discover a burglary, complaint dismissed; Michael chan, Twelfth, off post, two days' pay; P. P. Sheehan, Tweifth, off post, two days' pay; P. P. Whittler, Twenty-second, leaving his post before relieving time, one day's pay; John Foley, Twenty-ninth, off post, one day's pay; Matthew Campbell, Twenty-seventh, off post, in a private office, complaint dismissed; B. Brady, Twentieth, failing to be found on post, two charges, two days' pay; Thomas Hill, 16th, sitting upon a boiler, complaint dismissed; John Brown, 9th, not found on post, five days' pay; Patrick Clownes, 6th, off post, two days' pay.

plant dismissed; John Brown, 9th, not round on post, five days' pay; Patrick Clownes, 6th, off post, two days' pay. A lengthy hearing was had in the case of Captain Caffrey, of the Fifteenth precinct, charged by Superintendent Kennedy with locking up an intoxicated man (Frederick Holls) on the 6th of April with a broken arm, and failing to give him proper methators are senting him to hospital. The Superintendent explained that the charge was made upon information given in a newspaper for the purpose of allowing Captain Carrey to set himsel right. The evidence showed that about eleven P. M. on the 6th, roundsman Randali and officer Vought brought the man into tae station house. His nose was cut, and after locking him up the Captain sent a surgeon to examine his injuries. When locked up ne did not complain of a sore arm, and clung tenaciously with both hands to the railing. In the morning, when the cell was open, yet the doorman falled to report it to the Sergean (Lowery) at the desk. The man was taken to Jefferson Market, discharged, then to the St. Clair son Market, discharged, then to the St. Char house, where the arm was dressed for a compound dislocation of the joint; the man was then removed to his room and died two days after his incarceration in the ceil. The evidence entirely exonerated Captain Caffrey of wilful nectect, but established the fact that his doorman disregarded the condition of the deceased and failed to report it, and Captain Caffrey owes it to himself and the public to place the negligent doorman upon trial for gross neglect of duty. The case was referred to the foard.

THE SUCATO AVENUE CAR DRIVERS! STRIKE.

The public are still inconvenienced by the strike of the car drivers on the Second Avenue Railroad. The ast car run was on Friday morning, and the company say that the terms of the charter have not been violated, inasmuch as they are ready and anxious to run the cars if proper and adequate protection were afforded them. They affirm that were they protected against violence they could get as many men as they need. The story of the men is entirely different, and in proof of their assertions they allege that yesterday morning about forty men they altege that yesterday morning about forty men came to the depot at Sixty-fourth street in search of employment, but when they ascertained the position of affairs, the work to be done, and the compensation offered, they voluntarily withdraw. The men on strike have organized themselves into an association for the time being, and hold regular meetings, at which matters pertaining to the strike are discussed. Judge Connoily appeared on the scene questerday morning, having read a manifesto from the directors of the company. The Judge advised the men to go to work, doing so, he said, from the impressions formed from the document referred to. The strikers explained the time table to the Judge, and, it is said, disabused his mind. The trips, they asserted, could not be made in the time required by the superintendent, nor could the men hold out in doing such an amount of work, even if they tried it at any wages.

At the office of the company on the corner of Sixty-second street a grim and awfal sileace reigns. Whether it is preparant of forthcoming developments of various kinds are trie. One is that the directors of the company held a meeting in Pine screet vesterday, at which the propriety of selling the stock and effects to the New Haven Raifroad was gravely iiscussed. Some of the strikers had selzed upon this rumor with avidity, and knots of men might be seen and heard busily discussing the probabilities on its fulfilment.

The corner of Sixty-first street seems to be the strikers. Here groups of car drivers assemble on came to the depot at Sixty-fourth street in searc

principal rendezvous and headquarters of strikers. Here groups of car drivers assemble the sidewalks and cagerly canvass the (to them)

the skiewalks and cagerly canvass the (to them) all important topic.

"Bill," exclaims an excited Jehu, "I hear they're goin' to sell us all out; stock, lock and gun barrel," "Oh, the biagguards," responded the party addressed, whose accent declared his nationality; "there's nothing too mane for them."

"Well, and isn't it plain enough to all of yez," says an excited son of Erin; "its only playin' into the hands of the Third Avenue road they are,"

"Divil a bit," exclaims a third, whose authoritative air and sententious utlerance proclaim am sargule; "il's well understood that this new man, quins, or queen, as he calls himself, bad manuers to him, has to bear the whole expines. Its tryin' an expirimint he is, to see how far he can rayduce the expiness of the road; and drivinsh small use I is, for everybody knews its bankrupt alroady."

the expinses of the road; and divisis small use it is, for every body knows its bankrupt airoady."

"If it's an experiment, it's a mighty expensive one." breaks in another; "it's costing them at the rate of a thousand a day, and the other line ought to feel obliged, for it's money in their pockets."

"Did you hear about the meeting in Pine street to-day?" inquires a car driver. "Some of the boys down yonder told me they were talking about putting the road in at anction."

yonder told me they were thiring about principles food up at action."

"And if they did." said another, "it's a devilish small price it would bring, even if they was to throw the vice president into the bargain," which observation was followed by a general laugh and several re-

MUNICIPAL AFFAIRS.

BOARD OF ALDERMEN.

The Board met vesterday afternoon pursuant to adjournment, with the President, Alderman Coman, in the chair. A large number of papers were introduced and laid over or referred to the appropriate committees. Among other a resolution directing that the street lamps on the lower part of Centre street, near the Park, be removed from the sidewaik and placed inside the railing of the City Hail Park. A large number of resolutions were adopted, directing cluedy the laying of gas and Crofon mains in the various streets up town and the regulating and grading of certain others. A resolution to pay Henry M. Garvin, Michael Meehan, Jacob Scobacher and Michael J. Maloney \$1,500 cach for extra services was lost, reconsidered and laid over. \$640 were donated to the Eighty-fourth street Presbyterian chorch. Resolutions were adopted directing that Little Twelfth street, from Fifth to Status avenue; Fifty-sixth street, from Second avenue; Fifty-sixth street, from Second avenue to the East river, and 12th street, from Fifth to Status avenue; Forty-sixth street, from Second avenue. The ordinance in relation to velocipedes was referred to the Committee on Ordinances, and the Board, affected no doubt by the warmin of the weather, adjourned without entering on more labor until Monday next, 23th instant, at two P. M. a resolution directing that the street lamps on the

BOATO OF ASSISTANT ALDERINEN.

TAXING COMMERCIAL TRAVELLERS.

The Board met yesterday, the President, Mr. Mon aghan, presiding.

A preamble and resolution were presented, setting forth that in several of the States citizens of the State of New York, when passing through thos States as commercial travellers, were compelled to take out a license, and the opinion of the Corpora tion Counsel was asked as to whether such taxation is in accordance with the constitution. The resolution was adopted and hamediately sent to the other Board for concurrence.

OPENING OF MADISON AYENUE.

A comprehence was regarded from the Cornors.

OPENING OF MADISON AVENUE.

A communication was received from the Corporation Counsel stating that the report of the Commissioners of Assessments in favor of opening Madison years from Elgaty-sixta to 120th street on the 1st of May was confirmed.

of May was confirmed.

THE STRIKE ON THE SECOND AVENUE RAIDROAD.
A preamble and resolutions respecting the STRIKE ON THE SECOND AVENUE RAIDROAD.
A preamble and resolution respecting the STRIKE ON THE SECOND AVENUE RESOLUTION WAS referred to the Committee on Railroads:

Resolved, That the frequent occurrence of the stoppage of city travel from parsimony or extreme exaction of service from employés, as is evidenced on the part of the Second Avenue Railroad Company at the present time, calls for prompaction on the part of the city authorities in accordance with the language of the grant that the Common Councit shalf direct as to the running of the cars and any other matter connected with the regulation of Said railroad.

REMUMBERING AVENUES.

The Board concurred with the Aldermen in directing the Street Commissioner to have all the avenues renumbered where not already done.

The following resolution was adopted:

The following resolution was adopted:—
Resolved, That the Comptroller be, and he is herelauthorized and directed to draw his warrant in favor of G. Sags, treasurer of the Dutch church in Washington squarer for the sum of \$3,143, as a donation to pay assessment; Church street extension and paying Washington plat from Broadway to University place, with Nicolas pavement; also in favor of Samuel Brains one of the trustees of the Miricentia stron, to gar assessment, and the sum of Church, for the sum of Church, to the sum of the Miricentia stron, to gar assessment, of the sum of \$140, as a donation to pay assessment of Church street extension; also, in favor of Frant L. Walker, accretary of the Board of Trustees of the Scoon Reformed Prespyterian church in West Eleventh street, the sum of \$140, as a donation to pay assessment for Church street tension; also in favor of William Speliman, passes of the Unit Prespyterian church in Charles street, for the sum \$124, as a donation to pay assessment for Church street tension; also in favor of William Speliman, passe of the Load of Trustees of the Jane Street Mothodist Episcopal church or the Sum of 1578, as a street Mothodist Episcopal church or the Sum of 1579, as a street Mothodist Episcopal church or the Sum of 1578, as a street Mothodist Episcopal church or the Sum of 1578, as a street Mothodist Episcopal church or the Sum of 1578, as a the Comparisher to church street to cheres. tension; also in the Jane street Mothodist Episcop. of Trustees of the Jane street Mothodist Episcop. for the sum of \$139, as a donation to pay american Church street extension, the Comptroller to c amounts to the account of "Donations," or any

The sum of \$645 was also donated to William Eve-

The sum of \$645 was also donated to William Everet, pastor of the Roman Catholic church in Second avenue, to enable him to pay an assessment for paying Second avenue.

A r.solution was adopted that the pay of the inspectors of sewers in the Croton Aqueduct Department be increased from four to live dollars per day.

The Croton Aqueduct Department was directed to have 117th street, from Fourth avenue to Hartem river, payed with Beigian payement.

THE BOARD OF EXCISE.

The Board of Excise met yesterday afternoon, Judge Bosworth, the President, in the chair. William Back, who resides in Graham and Brooklyn, was charged with selling liquor on Sun-day, the 25th of March. The complainants, officers, testified that they got into the barroom through a private apartment and asked the defendant for some er, which was given to them and which they

drank. Commissioner Brennan wanted to know if one of the complainants was positive that what he had drank was beer or ale.

The aforesaid complainant declined to be posi-

The aloresaid complainant decined to the tive.
Commissioner Lincoln inquired whether the liquor drank was mait liquor.
The complainant replied that the "stury" was

mait.
Commissioner Brennan expressed himself willing to be informed as to how the officer knew there was

to be informed as to now the olincer knew there was mait in the liquor.

The officer intimated that he was not an expert in liquor tasting, so he could not be certain as to whether there was mait in the liquid or not.

The defendant acknowledged giving the officers a drink, but remarked that they drank two glasses of the acch before they arrested him.

The defendant acknowledged giving the officers a drink, but remarked that they drank two glasses of ale each before they arrested him.

One of the officers being recalled, said that he thought that the "stuff" was lager that he drank.

Commissioner Stone remarked that the case should be dismissed. It was wrong for the officers to tempt a man to violate the law in order to arrest him for the violation. Their action was against the spirit and letter of the law. The license was not revoked.

Officer Johnson charged that Herman Brewick, of No. 357 Rivington street, had his store "ineffectually closed" on Sunday, the 25th ult.; that there were several persons in the barroom and lager in a pitcher on the counter. The complainant denied that beer and lager were ordinarily called cider on sundays. The license was revoked.

Albert Himes, No. 665 Eleventh avenue, was charged with disposing of oeer on Sunday, the 4th inst. An officer said he saw ale given out to several persons in the place. One defendant indignantly denied that he gave out ale. Didn't he act square with the officer? Of course he did. Didn't he wasn't smoked before. "Vy," said he, "I vos zeten town in my biaze mit und frem ven de hofficers comed in. Dey shakes hands mit me, and dey says, how do you beset I says 'soffity vair.' Day asks me for zider. I says 'soffity vair.' Day asks me for zider. I was don't have been 'ere? Vei, my license was removed vonce and Mr. Acton linself vos here and he said vos de honeauest man vat vos in de room; ven I comd anoder dimes nodings vos done will me. I zells oats, mails and ples, and no liquor on Soondays." The defendant's cloquence fafted to save him and the heense was revoked.

Peter Mageras, of Johnson street, Brooklyn, was charged with dispensing of lugor on Sunday, the Hita inst. The complainant, an officer, testified that Mr. Young awe him a glass of als, for which he received pay. The heene was revoked.

The License Bureau, at the Mayor's office, was comparatively quiet yesterday. The complaints were few, of very slight import and easily settled. There were several additional affidavits entered

There were several additional affidavits entered against the establishment at No. 8 University place, and Marshal Tooker was kept employed in signing license ceruficates as according to an order recently issued by Mayor Hall, the first Marshal must sign the certificates himself.

The Bureau of Licenses, in the basement of the Hall, is being fluted up in a manner which will be found to accord more with the dignity of the cilics and at the same time order much better accommodations for the employés of the office, as well as those who have occasion to transact business there. The pince which was formerly occupied by the uncouth and uncomfortable desk has been replaced by a desk fluted up in regular counting house style, which gives much more room for all parties and tends to make the appearance of the Bureau more impresgrees much more room for an parent more impre-make the appearance of the Bureau more impre-

sive.

LIGHTNING FROM THE WEST.

Yesterday morning the following (the first graphic despatch over seut from Nevada) was crived and responded to by Mayor Hall:—

erived and responded to by Mayor Hall:—
Hamilton, Nev., April 16, 1839.
Hen. A. Oaker Hall., Mayor of New York:
The citizens of Hamilton offer works of greening upon the completion of the tergerse connected by rall and express the hope that they me earne connected by rall and express the hope that they me earne connected by rall and express the hope that they me earned to the connected by rall and express the hope that they me earned to the second of the connected by rall and the c

P. S. HYMAN, President Board of Trustees.

Struck by your lightning, the metropolis hopes soon tobe pushed by your season. The metropolis hopes soon to be pushed by your season. The metropolis congratulates Hamilton upon the adulevaments. Long may intelligence than over every highway connecting practically Asia and Europe, and to open which was the dream of the friends and six and to open which was the dream of the first period of the teenth centuries.

A. OAKEY HALL, Mayor of New York.

MIETING OF WEST SIDE PROPERTY OWNERS.

A number of property owners, among whom wery firm of Evarts, Southmayd & Choate, met in an informal manner at three o'clock yesterday after-noon in the Exchange Salesroom, No. 111 Broad-

way, for the purpose of devising some means of defeating the bill of Senator Michael Norton, now before the Legislature at Albany, and winch contemplates taking possession of the piers and bulkheads on West street, from Pattery piace to Hammond street, without allowing the owners of the property any compensation therefor. After the interchange of ideas in a conversational manner it was resolved, finally, that Mr. Southmayd should draw up a remoustrance to be placed in the hands of a committee, who are to proceed to Albany as soon as possible and lay it before the Governor, by which means the property owners interested think the Executive will become convinced of the unconstitutionality of the act in question, and, should it pass the Senate, would be led to return it with his veto.

THE CUBANS IN NEW YORK.

Who They Are and What They Are Doing-Operations-Artillery, Nitro-Glycerine Bombs Torpedoes and Recruits for the Patriot Armies.

The patriot Cubans in this city are at present dis-

playing the most intense interest and activity in behalf of the cause of independence, by direct personal exertion, pecuniary contributions, influence and encouragement, and never perhaps in its history h the metropolis been even the temporary residence of so many of the sons and daughters of the "Queen of the Antilles" as during the past two months. former years they were usually seen in New York at the fashionable hotels, in the parks and at places of amusement as pleasure scekers or travellers during the summer season, with that air of ease and abandon so characteristic of their nationality. Now they are an active, bustling, energetic and anxiously earnest community of mselves, surrounded by hosts of friends and sympathizers with their essentially popular scheme. ey throng the hotels and streets as formerly, but without the doice far niente of former occasions, and in many of their resorts parlors are secured for use as committee rooms, where the business of aiding the struggling volunteers in their noble contest with the Spanish hidalgos is carried on and developed. But one of the most promising auguries a to the result hoped for is to be found in the fact that the great majority of the Cubans in city are of the wealthy, refined and educated classes, and, being such, understand and appreciate the necessity for prompt and vigorous action in its moral and po aspects, and at the same time, being wealthy and prominent as a class among their countrymen, they prominent as a class among their countrymen, they have the deepest personal interest in the issue. Were they of a poor or mentally inferior grate it could be fairly presumed that they were mere refugees, having nothing of pride or property at stake, and therefore regardless of success or defeat. Their position and their mission, however, alke entitle them to attention and encouragement, and they have both, and are daily extending their inducence and awakening interest to their movements among the people of the United States. The part, too, which the Cuban ladles of this city have assumed and are so satisfactority accomplishing is by no

entitie them to attention and encouragement, and they have both, and are and extracted some dermand encount the recipie of the United States. The part, too, which the Chain helies of this city have assumed and are so satisfactority accomplishing is by no nettes of the gene of the Spanish main have drown all the natural and proverbial fevror of their hearts and minds into the work.

The gene of the Spanish main have drown all the natural and proverbial fevror of their hearts and minds into the work.

The convolunt reasons done quietly and without oxidentiation for white anxious for and expectant of support of the cort of avoid precipitating and without oxidentiation for white anxious for and expectant of support of the cort of avoid precipitating and eminance of the part of the expectation of the part of the count of their speed, light discussion of the part of the count of their speed, light discussion that the count of their speed, light discussion the cou

the forwarding of muscle, arms and amunitions to enable the forwarding of muscle, arms and amunitions to be regularly carried out, and though the response have been granifying there has been abundant opportunity for the advantageous expenditure of still greater amounts had they been available. Meantime exertions are being redoubled and provate donations and assessments and the propeeds of concerts and fairs howing steadily into the treasury. The probable action of President Grant is looked forward to by the patrolic party with the most yearning solicitude and impatence, and the desire to calminate the crais when shall justify and reacter a recognition of the political status of the revolutionsits expedient and deserved has much to do in stimulating the present zeal. Under such circumstances as these tee hope is artical and high that within a few months at least, and perhaps weeks stances as these the hope is ardent and high that within a few months at least, and perhaps weeks only, chard and chains will have demonstrated that waere it is the destiny of a people to be free the people themselves can accelerate the climax, and praceed to perpetuate and enjoy the libertles which are thens by right, and which they thus achieve by valor.

THE BOARD OF BEALFA.

The Board of Health met yesterday afternoon resident Geo. B. Lancoin in the chair.

A special report was read concerning the boats of Lister Bros., which are lying at the pier foot of West Thirty-eighth screet, in which the boats were prononneed a nulsance, inasmuch as they are alway full of rendering material that is never disinfected. Commissioner Lincoln stated that the Lister Bros. had three months ago promised to put covers on their boats, but that they had failed to fulfil their promise. The report was referred to the attorney. Dr. Morean Morris, Assistant Sanitary Supermi-tendent, reported that First avenue, between Porty-firth and Forty-seventh Streets, is in a condition changerous to the public health, the street bong un-payed, unsewered and full of garbage and reruse, Condataine from eight to twenty families each, and the doctor believes that an epidemic might at any time make great headyen in such houses once it had broken out. The matter was referred to the ea-gineer. had three months ago promised to put covers on

had broken out. The insiter was referred to the engineer.

An inspector made a report on the subsoit drainage in Ninety-second and Ninety-tourin streets, hear the Third avenue. The report sides that there is a natural water course in the neighborhood, which is used as a sort of sower formit the regime matter from the various houses. The water course has been stopped by the litting in or one of the streets, and the consequence is a stagmant pool that gives forth very noisome odors. Referred to the engineer.

An anonymous communication was received in which the writer complained that the stenen from the Methopolitan Gas works "all the eventual hist Sunday" was intolerable in the extreme in certain parts of the city. On motion of Commissioner Manierre four special inspectors were appointed to "watch" all the gas works day and night continually, they to report to the Board the existence of every nusance proceeding from the works that they may discover.

cery missance proceeding from the works that they may discover. A petition was received requesting the Board to take action in the matter of the sanken lots in bounded by Fifth and Fourth avenues and Sixty-fifth and Fifty-ninth streets. The petitioners, properly holders in the vicinity, state that the lots are full of water and that the sewers are twelve feet higher than the stagaant water. The subject was referred to the counset that he might draw up an order to be issued by the Board in regard to the matter.

Fifty-five colars, on an average occupied by fifteen to leave a series of the separate capity of the owner of the tenement 500 Ninth avenue to put ventitation windows in the building according to the order of the Board of Health sent in a communication stating that the occupants had refraced to let him work, and that he desired protection to presente the work. Referred to the Board of Police.

The santgater houses on the east side of Forty-fifth street, between second and Third avenues, were complained of as missades. Referred to the Super-Interdent.

The Santary Committee, to whom had been re-

ferred the subject of modifying the order in regard to cattle driving in the streets, reported certain

gard to cattle driving in the statets, reported corrain modifications.

Commissioner Stone moved that the Police Commissioners be requested, whenever there is a break-age of a cattle train, to graat special permits to drive the cattle through any statet.

Judge Bosworth remarked that no matter whas recommendations the Folice Commissioners saw fit to make in the matter, and as long as there were fixed ordinances on the subject, the Superintendent of Police would do just as he pleased. When that per son was absent from the dividately there was no trouble (in cases of breakage of trains) about the driving of cattle through certain streets not allowed to be used by the drivers; but as long as he is m the city the ordinances would be enforced in his peculiar way. The subject was referred back to the Sanitary Committee.

SUBURBAM INTELLIGENCE.

NEW JERSEY.

Hadson City. THE VACANT POSTMASTERSHIP, occasioned by the making a lively stir among hungry office-seckers.

Ex-Congressman Halsey, who controls the appointments in the Fifth Congressional district, is besieged by applicants every day.

COURT OF SESSIONS.—A man named Peter Carri-

gan was arraigned in this court yesterday morning, on a charge of having stabbed and resisted officer O Connell, of the Jersey City police force, while being arrested. Carrigan was convicted of ma-liciously attempting to injure the policeman, and was sentenced to nine months' imprisonment, with hard labor, in the State Prison.

BELGIAN PAVENENT A WEAPON OF OFFENCE .- A warrant was issued by Recorder Aldridge yesterday morning for the arrest of Frederick Youngman, who is charged with lifting a huge Belgian paving stone and hurling it at the head of James Harrington. The latter was nimble enough to get out of the way, but Fred made such terrible threats that James fears his life is in danger. Fred was soon after arrested and lodged in limbo.

Hoboken.
A School Teacher Charged with Chuelty.-Mr. Rowe, teacher of a public school in West Hobo-ken, punished a boy named Bernard to an extent which the boy's parents deemed crucity. The mother of the boy had an interview with the teacher afterwards which was far from pleasant. The teacher proceeded to Bernard's house where Mr. and Mrs. Bernard, it is alleged, assaulted him in such a manner that they obtained what they considered satisfaction for the boy's injuries. Mr. Rowe had them arrested and brought before justice Neascheller on a charge of assault and battery.

ROW AMONG BUTCHERS.—At a late hoar on Sunterprocess.

day night several intoxicated butchers, hailing from the slaughter houses on the meadows, became involved in a quarrel, in the course of which three or volved in a quarrel, in the course of which three or four persons not belonging to the gang were seriously injured. Stones, and sticks which harded to and fro, and the party them attacked some Germans who happened to be passing by, two of whom, being mable to escape, were followed into a Union Hill horse car and clobbed numbercially. Some rowdles then threw paying stones at the car and severely wounded the conductor and a lady inside. Two of the radians were subsequently arrested and mad ten dollars each of Recorder Pope.

Lent, at Tremont, yesterday, at the lustance of aged father, who charged Jacob with having asanswer, pleased guitty, and, by way of explanation, informed the Court that he had been crinking a little with some friends, and that on coming nome his father had accessed him of being inforcated. This was no much, and, to use his own undirial language, he "smacked the old man in the shoot," flaving expressed penticues for the act the Court was noved by his father's importantices to discharge the young man after administering a severe reprianswer, pleaded guilty, and, by way of explanation,

THE ECUMENICAL COUNCIL

TO THE EDITOR OF THE HERALD:-

In your editorial of to-day referring to my lecture of last evening you say:-"He (the lecturer) believes that should it (the Council) abrogate the temporal power of the Pope the Church in its temporal power of the rope the Canton in the poverty will only be stronger to perform its high functions." As this would attribute to me senti-ments which I neither entertain nor wish to be thought to entertain, I ask you the favor to correct the statement. The only passages in the secture that could have given rise to the misapprehension were

the statement. The only passages in the tecture that could have given rise to the misapprehension were the toflowing. In one place I said.—The Church almost everywhere stripped of earthy possessions and temporal pre-eminence—the very thought of making any effort to regain them abandoned, she will be occupied with what more immediately regards the nourisiment of Caristian Re. Walls she had abundance of temporal goods she knew they were but a trust for high purposes, and she fell it a duty to guard them and faithfully to administer them. But they were not absolutely necessary for her end, and it in poverty her powers by in some respects more limited they may have some freedom, and with freedom more energy."

In another place I said.—The Counch has been able to tree and to labor in every condition of society, but she sighs and is willing to sacrifice aim 35 any timag else that it is lawful for her to sacrifice for the purpose of securing freedom. If she but secure this—If she could scarge everywhere the freedom she enjoys here—she will almost without a sign, see larsest deprived, however unjustly, of any other temporal advantage." These statements avidently refer to the weather and civil statements

FOREIGN SCIENTIFIC NOTES.

The library, containing about 10,000 volumes, and the collection of objects of art belonging to the late enument French lawyer Berryer are advertised for sace in Paris on April 15.

The Turn journals mention the recent teath in that city of the celebrated engineer and machinist Pistro Paleocapa, who has occupied a most prominent position in respect to all the public works constructed during late years in Italy. He was eighty of age.

The Macon (Ga.) Messenger says:—There is now living near Little river, florry district, S. C., a negro man, named Jacob Manaring, who is 118 years of age, flee is, rational, has good health and is surrounded by tessentiality of the generation.